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REMARKS

In the Office Action, the drawings were objected to for various reasons and some of the claims were objected to under 35 U.S.C. §112 for various reasons. By this Amendment, all of the existing claims have been withdrawn from the case and a new set of claims (39-49) substituted in their place. With the new claims, it is submitted that there are no drawing or §112 concerns and thus that the Examiner's rejections in those areas have been obviated.

On the merits, claims 9, 11, 15-17, 21, 23, and 32-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lytle (USP 6,052,933) in view of "Wallpaper Wishes". Also, claims 18, 19, and 22 were rejected under §103 as being unpatentable for those same reasons and further in view of Polzin (USP 5,029,581), Bowman (USP 4,773,557) or Fagan (USP 4,783,354), respectively.

In addition, claims 9, 11, 15-17, 21, 23, 31-38 were rejected under §103(a) as being unpatentable over Lytle in view of "DecorateThis.com". Finally, claims 18, 19 and 22 were rejected under §103 as being unpatentable for these same reasons and further in view of Polzin, Bowman or Fagan, respectively.

In response to the Office Action, the Applicant has cancelled all of the existing claims and submitted a new set of claims narrowly directed specifically to one embodiment of the invention. It is submitted that the subject matter claimed in these new claims (claims 39-49) is not disclosed or suggested by any of the cited references, whether taken in any permissible combination.

Claim 39 is the only independent claim remaining in the case. Claim 39 is directed as a roll of wall-paper type material which has an indefinite length and a definite height and has use as a pictorial border material in a room or on any wall or surface. The border member or "substrate member" has a continuous and repeated graphic or pictorial display as is conventional on wallpaper border members. The rear surface of the substrate has an adhesive material on it (which can either be permanent or non-permanent) for attachment of the substrate to a wall or other surface.

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A plurality of transparent picture pockets are attached to the front surface of the substrate material. The pockets are provided continuously at intervals along the length of the border member. The pockets have at least one opening so that a picture or other display member can be placed in the pocket. The pockets are transparent so that any display materials are visible, but also so that the pictorial display on the border will still be visible if nothing is positioned in the pockets.

The dependent claims (claims 40-49) add other details or features to the main subject matter of claim 39 and also help define the scope and meaning of the independent claim.

None of the cited references, even when combined, disclose the unique combination of features forming the invention as set forth in claim 39. Also, the fact that investors have indicated an interest in supplying the Applicant's invention (as set forth in claim 39) to the marketplace supports the unobviousness of the invention.

None of the combination of references create any prima facie evidence of obviousness. Only with hindsight after taking the applicant's invention into account, can any argument be made – and this is not the correct manner in which the obvious issue is to be determined. There is no teaching, motivation or suggestion anywhere in the cited art to combine the references or their teachings in any way which meets all of the terms of the Applicant's invention as set forth in claim 39, or renders it obvious.

Accordingly, it is submitted that all of the claims remaining in the case, namely claims 39-49, are in proper form and patentably distinguish the invention from the prior

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art. Allowance of the claims and passage of the application to issuance are respectfully solicited.

Respectfully submitted,

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Dated: October 20, 2006